PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

09/989,941

Filing Date:

11-21-01

Applicant:

Oliver J. Gross et al.

Group Art Unit:

1725

Examiner:

Unknown

Title:

BATTERY APPARATUS AND METHOD OF FORMING

MAR 0 4 2002

A BATTERY APPARATUS

Attorney Docket:

4858-000079

Hon. Commissioner of Patents and Trademarks Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

1. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. **COPIES**

- A. X Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.
- B. ___ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C.___This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g)) CONCISE EXPLANATION OF THE RELEVANCE (check at least one box) A. X Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required). B. ___ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)): 1.___See the attached foreign patent office communication from a counterpart foreign application: 2.___English translations are provided for: 3. Other: C. ___ The following additional information is provided for the Examiner's consideration. CROSS REFERENCE TO RELATED APPLICATION(S) A. ___ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122. Serial No. Filing Date **Art Unit** THIS IDS IS BEING FILED UNDER A. X 37 C.F.R. § 1.97(b): (check only one box) 1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required. 2. ____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No

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IV.

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fee or certification is required.

before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p). 4. ____ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required. B. ___ 37 C.F.R. § 1.97(c): (check <u>only</u> one box) • before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution. 1. ___ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p). 2. ____ See the certification below. No fee is required. C. ___ 37 C.F.R. § 1.97(d): • after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee. 1. ___ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p). CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box) The undersigned hereby certifies that: A. ___each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F. R. 1.704(d) below

B. ___ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37

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in section VII, if applicable; or

VI.

C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

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The undersigned hereby states that:

each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

- A. ____ A check in the amount of \$180.00 is enclosed for the above-identified fee.
- B. ____ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

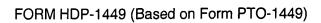
Dated: 21 FD6 2002

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Michael E. Hilton Reg. No. 33,509

HARNESS, DICKEY & PIERCE, P.L.C. P.O. Box 828 Bloomfield Hills, Michigan 48303 (248) 641-1600

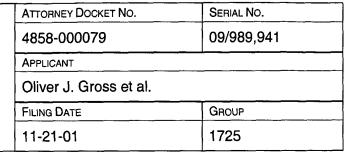
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PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CATANO

(Use several sheets if necessary)

Sheet 1 of 1



U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		4,443,918	04-24-1984	Morinari et al.		
2.		4,997,732	03-05-1991	Austin et al.		
3.		5,154,993	10-13-1992	Beatty		
4.		5,162,178	11-10-1992	Ohsawa et al.		
5.		5,326,652	07-05-1994	Lake		
6.		5,445,856	08-29-1995	Chaloner-Gill		
7.		5,460,904	10-24-1995	Gozdz et al.		
8.		5,587,253	12-24-1996	Gozdz et al.		
9.		6,042,966	03-28-2000	Cheu	,	
10.		6,063,519	05-16-2000	Barker et al.		
11.		6,117,589	09-12-2000	Satou et al.		

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	n No
1.							

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)					
Ref. Desig.	Examiner's Initials				
1.					

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